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that Archias was prosecuted, and not under the second clause provided for a *ξενηλασία*. But is Archias prosecuted for having used the rights of *civitas Romana*? He had used those rights, his attorney tells us, but it is the contention of the prosecution that that is the very thing he had *not* done! *Pro Arch. 11: is quem tu criminari ne ipsius quidem iudicio in civium Romanorum iure esse versatum*. Would it not have been a curious paradox if the gravamen of the indictment had been denied by the prosecution, and triumphantly established by the defense?

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